

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**IN RE:  
ROBERT LEE ALCALA**

**CASE NO: 12-10185-RLJ-13  
DATED: October 15, 2013  
HEARING DATE: 10/28/2013  
HEARING TIME: 11:00 AM**

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**NOTICE OF WITHDRAWAL OF THE TRUSTEE'S MOTION TO COMPEL DEBTOR TO FILE WITH THE COURT A COPY OF THE DEBTOR'S 2012 FEDERAL INCOME TAX RETURN OR IN THE ALTERNATIVE TO PROVIDE A COPY TO THE TRUSTEE AND/OR TO PAY ANY EXCESS TAX REFUND TO THE TRUSTEE WITHIN TEN (10) DAYS OF THE ENTRY OF THE ORDER REQUESTED HEREIN**

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NOW COMES Walter O'Cheskey, Chapter 13 Trustee, AND HEREBY WITHDRAWS his "MOTION TO COMPEL DEBTOR TO FILE WITH THE COURT A COPY OF THE DEBTOR'S 2012 FEDERAL INCOME TAX RETURN OR IN THE ALTERNATIVE TO PROVIDE A COPY TO THE TRUSTEE AND/OR TO PAY ANY EXCESS TAX REFUND TO THE TRUSTEE WITHIN TEN (10) DAYS OF THE ENTRY OF THE ORDER REQUESTED HEREIN" without prejudice to refilling the same, for the motion dated 9/23/2013.

/s/ Walter O'Cheskey  
Walter O'Cheskey, Chapter 13 Trustee  
6308 Iola Ave., Suite 100,  
Lubbock TX 79424

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Withdrawal was this date served on the following parties electronically or by U.S first class mail:

/s/ Walter O'Cheskey  
Walter O'Cheskey, Chapter 13 Trustee  
6308 Iola Ave., Suite 100,  
Lubbock TX 79424

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 1901-7346

Debtor Attorney  
MONTE J WHITE & ASSOCIATES PC  
ATTORNEY AT LAW ABILENE  
PO BOX 2128  
WICHITA FALLS TX 76307-

Debtor1:  
ROBERT LEE ALCALA  
9304 COLORADO ST

Debtor 2:

JOSHUA TX 76058